

Message Text

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ACTION DLOS-09

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10
IO-13 OIC-02 ACDA-12 AGRE-00 AID-05 CEA-01 CEQ-01
CG-00 CIAE-00 COME-00 DODE-00 DOTE-00 EB-08
EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01 INR-07
INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-07
OMB-01 PA-01 PM-05 PRS-01 SP-02 SS-15 USIA-06
/171 W

-----119816 141759Z /46

R 141420Z NOV 77

FM USMISSION GENEVA

TO SECSTATE WASHDC 3019

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 10292

E.O 11652: GDS

TAGS: PLOS

SUBJECT: US/USSR BILATERAL ON LOS, GENEVA, NOVEMBER 9,
1977

SUMMARY: AT A US/USSR BILATERAL MEETING ON NOV 9, 1977,
THE USSR REGISTERED STRONG CRITICISM OF PROPOSED US
DEEP SEA MINING LEGISLATION. THERE WAS GENERAL AGREEMENT
ON WHICH ISSUES REQUIRE FURTHER WORK AT THE LOS CONFERENCE,
BUT THE SOVIETS DID NOT COMMIT THEMSELVES ON STRATEGIES
TO RESOLVE THESE ISSUES. END SUMMARY.

1. ON NOVEMBER 9, 1977, AMBASSADORS RICHARDSON AND
ALDRICH AND LOS STAFF MET AT US MISSION GENEVA WITH
AMBASSADOR KOLOSOVSKY AND SOVIET LOS STAFF.

2. KOLOSOVSKY EMPHATICALLY AND REPEATEDLY EXPRESSED
SOVIET CONCERN ABOUT UNILATERAL US LEGISLATION ON
SEABED MINING. HE STATED THAT SUCH UNILATERAL ACTION:
(A) COULD, LIKE THE UNILATERAL ACTION ON FISHERIES, HAVE
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A VERY NEGATIVE EFFECT ON THE CONFERENCE AND ITS
PARTICIPANTS; (B) WOULD VIOLATE THE 1969 UN RESOLUTION
DECLARING A MORATORIUM ON SEABED MINING; (C) MIGHT
ENCOURAGE OTHER STATES TO TAKE UNILATERAL ACTION,
ESPECIALLY WITH REGARD TO BROADENING THEIR TERRITORIAL
SEAS; AND (D) WOULD SERVE THE INTERESTS OF THOSE
COUNTRIES WHICH DO NOT WANT THE CONFERENCE TO SUCCEED.

KOLOSOVSKY REITERATED THAT UNILATERAL US ACTION WOULD BE AGAINST THE INTEREST OF ALL PARTICIPANTS IN THE CONFERENCE, THAT COUNTRIES SHOULD REFRAIN FROM UNILATERAL ACTIONS, AND THAT THE BEST METHOD OF ATTACKING THE PROBLEMS AT THE CONFERENCE IS CONCERTED ACTION AMONG INTERESTED COUNTRIES. THE US AND USSR HAVE ALWAYS HAD USEFUL AND FRANK EXCHANGES, AND THE USSR DOES NOT NOW UNDERSTAND WHY THE US IS SO PESSIMISTIC, ESPECIALLY AFTER THE PROGRESS WHICH WAS MADE AT THE 6TH SESSION. MUCH OF THIS PROGRESS WAS POSSIBLE BECAUSE OF THE CONCERTED ACTION OF FIVE MARITIME POWERS. (AT G-5 MEETING NOV 10, KOLOSOVSKY AGAIN DWELLED ON DANGERS INHERENT IN UNILATERAL ACTION AND SUGGESTED THAT G-5 COUNTRIES PLEDGE PUBLICLY AT 7TH SESSION OF CONFERENCE NOT TO TAKE UNILATERAL ACTION.)

3. RICHARDSON REPLIED THAT THE US, TOO, WANTS THE CONFERENCE TO SUCCEED BY MEANS OF CONCERTED ACTION, BUT THAT THE G-77 MUST REALIZE THAT THE US WILL NOT SIGN A TREATY WHICH HAS UNACCEPTABLE PROVISIONS REGARDING DEEP SEABED MINING. THE G-77 MUST ALSO UNDERSTAND THAT THE PROCEDURES OF THE LAST CONFERENCE WERE UNACCEPTABLE TO THE US. THE US IS PREPARED TO AGREE TO A REASONABLE INTERNATIONAL SEABED REGIME UNDER A REASONABLE INTERNATIONAL SEABED AUTHORITY. THE SEABED MINING PROVISIONS OF THE ICNT, HOWEVER, ARE UNACCEPTABLE.

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4. WITH RESPECT TO US LEGISLATION, RICHARDSON STATED THAT IT IS UNLIKELY THAT LEGISLATION WOULD BE SIGNED BY PRESIDENT CARTER BEFORE THE END OF THE 7TH SESSION, THAT THE ADMINISTRATION HAS MADE RECOMMENDATIONS WHICH WOULD MAKE THE LEGISLATION COMPATIBLE WITH AN INTERNATIONAL TREATY, THAT THE LEGISLATION WOULD PROVIDE FOR A FUND FOR DEVELOPING COUNTRIES, AND THAT THERE IS THE POSSIBILITY THAT THERE WOULD BE RECIPROCATING ARRANGEMENTS WITH OTHER COUNTRIES WHO ENACTED DEEP SEA MINING LEGISLATION. MOREOVER, RICHARDSON SAID, THE US DOES NOT CONSIDER THE UN MORATORIUM ON SEABED MINING BINDING, AND THE US CANNOT INDEFINITELY DEFER THE EXERCISE OF ITS HIGH SEAS RIGHTS TO MINE THE SEABED WHILE THE LOS CONFERENCE DRAGS ON. FURTHERMORE, IT IS IMPORTANT THAT OTHER COUNTRIES KNOW OF THE POSSIBILITY OF SEABED LEGISLATION IN THE US, A POSSIBILITY WHICH VARIOUS MEMBERS OF THE US CONGRESS HAVE ALREADY POINTED OUT TO VARIOUS LOS DELEGATES AT PAST SESSIONS. KOLOSOVSKY RETORTED THAT THESE ACTIVITIES OF CONGRESSMEN HAD BEEN RESENTED BY MANY DELEGATES.

5. RICHARDSON ASKED KOLOSOVSKY HOW IMPORTANT IT WAS TO THE USSR THAT THE SUBSTANTIVE WORK OF THE CONFERENCE

BE COMPLETED BY THE END OF THE 7TH SESSION. KOLOSOVSKY REPLIED THAT THE USSR WANTED A TREATY AS SOON AS POSSIBLE, BUT THAT NO PARTICIPANT WANTS TO BE PUSHED AROUND OR TO BE GIVEN A TIME LIMIT BY ANOTHER PARTICIPANT.

6. KOLOSOVSKY ASKED WHICH PROVISIONS OF THE ICNT WERE MOST UNSATISFACTORY TO THE US. RICHARDSON LISTED THE OBJECTIONABLE FEATURES OF PART XI AND ASSOCIATED ANNEXES IN THE ICNT AND THEN ADDED THE FOLLOWING COMMENTS: (A) THE US HAS AGREED TO SUPPORT LANGUAGE TO THE EFFECT THAT NO STATE SHOULD EXERCISE SOVEREIGNTY OVER THE ECONOMIC ZONE (I.E., IN SUPPORT OF THE USSR); (B) THE MARINE SCIENTIFIC RESEARCH ARTICLES ARE STILL UNSATISFACTORY, BUT THE US RECOGNIZES THAT IT WILL BE DIFFICULT
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TO CHANGE THEM; (C) THE LL/GDS STILL WANT MORE OUT OF

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INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01
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INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 10292

THE TREATY; (D) THE US SUPPORTS THE DESIRE OF THE BROAD MARGIN STATES FOR LANGUAGE INCORPORATING THE IRISH FORMULA.

7. KOLOSOVSKY STATED THAT THE SOVIET UNION AGREED IN GENERAL WITH THIS CATALOGUE OF PROBLEM AREAS AND WOULD ADD THE FOLLOWING ITEMS: (1) FISHERIES, ESPECIALLY REGARDING ANADROMOUS SPECIES; (2) CLOSED OR SEMI-CLOSED SEAS; AND (3) NATIONAL BOUNDARIES BETWEEN ECONOMIC ZONES AND CONTINENTAL SHELVES.

8. THE MEETING ENDED WITH A GENERALIZED DISCUSSION OF POSSIBLE STRATEGIES TO CURE THE DEFECTS OF THE ICNT. AMBASSADOR KOLOSOVSKY MADE FEW SPECIFIC STATEMENTS ABOUT STRATEGY BUT DID INDICATE CONCERN ABOUT ANY ATTEMPT TO BYPASS PAUL ENGO, ASSERTING THAT MANY FROM THE G-77 SUPPORT HIS TEXT. VANDEN HEUVEL

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